

## **REMARKS**

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Notice of Non-Compliant Amendment mailed on September 12, 2005. Claims 1-18 were previously cancelled. Claims 19, 20 and 22-29 were rejected. Claim 21 was objected to. Claim 19 has been amended. The amendment of claim 19 contains no new matter. Claims 19-30 remain in the case. Applicant respectfully traverses the rejections for the reasons given below.

The indication of allowable claim 30 is acknowledged with appreciation.

### **Claim Rejection - 35 U.S.C. § 102**

Claims 19, 20 and 22-29 were rejected under 35 USC 102(b) as being anticipated by US Patent No. 5,224,023 (Smith).

Claim 19 has been amended to include the operation of depositing a semiconductor layer on at least one section of the substrate to form a plurality of diodes when the substrate is folded. This amendment is supported in the specification on page 16, lines 21-28.

Applicant respectfully submits that independent claim 19, as amended, clearly distinguishes over the Smith patent. Specifically, Smith does not disclose a method of depositing a semiconductor layer on at least one section of the substrate. The semiconductor layer enables the memory structures to interact with each other when the substrate is folded to thereby form a plurality of diodes.

As described in claim 19 of the present application, a method of fabricating multiple layers of a memory device is claimed that provides a common substrate with multiple sections. Memory structures are provided on at least two sections of the substrate. A semiconductor layer is deposited on at least one section of the substrate. The substrate is folded along a fold line to align the memory structures on adjacent folded sections so that the memory structures interact with each other to thereby form a plurality of diodes in the memory device.

Smith discloses a flexible substrate capable of having at least three sections folded on each other. The substrate is sandwiched between half-sections of each board, so that components can be mounted on both faces of each board. The multiple sections can be folded so that they are

disposed in a stacked configuration and are held in place by posts extending through the boards. (See Smith column 1, line 58 through column 2, line 33).

Smith does not disclose a method of depositing a semiconductor layer on at least one section of the substrate. The semiconductor layer enables the memory structures to interact with each other to thereby form a plurality of diodes. The folded sections of Smith do not enable the formation of a plurality of diodes.

Therefore, Applicant respectfully submits that independent claim 19 is allowable, and urges the Examiner to withdraw the rejection.

Rejection of the dependent claims 20 and 22-29 should be reconsidered and withdrawn for at least the reasons given above with respect to the independent claim. The dependent claims, being narrower in scope, are allowable for at least the reasons for which the independent claim is allowable.

## **CONCLUSION**

In light of the above amendment and remarks, Applicant respectfully submits that pending claims 19-30 are now in condition for allowance. Therefore, Applicant requests that the objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Vaughn North at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 08-2025.

DATED this 28th day of September, 2005.

Respectfully submitted,



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